

REMARKS

Claims 2-8, 10-14, and 16-22 are now in the application. By this Amendment, independent claims 13, 21, and 22 have been amended and dependent claims 11 and 12 have been amended to change their dependency. Support for the amendments to the independent claims is found at least at original claim 9. Claim 9 has been canceled without prejudice or disclaimer. No new matter has been added.

Claims 2-14 and 16-21 have been rejected under 35 U.S.C. §103(a) as being unpatentable over WO 02/083695 to Ahlers et al., as evidenced by U.S. Patent No. 7,173,138, in view of U.S. Patent No. 4,567,306 to Dennis et al.

As appreciated by the Examiner, Ahlers cannot reasonably be considered to suggest features corresponding to bringing the fluid into contact with at least one base selected from trialkyl amines, dialkylaryl amines, alkyl diaryl amines, triaryl amines, and bases immobilized on a solid phase, or a combination thereof, as recited in independent claims 13 and 21.

The Office Action relies on Dennis for suggesting features corresponding to the above-quoted features of independent claims 13 and 21. Dennis is discussed at page 2, lines 25-31, of Applicants' disclosure. Specifically, Dennis suggests a rhodium complex catalyst with cyclic phosphite ligands. Dennis fails to suggest phosphoramidite ligands as claimed. As such, a skilled artisan would have no reason to believe that adding triethylamine to the structurally different complex catalysts in Ahlers would provide the same benefits as the addition of the cyclic phosphate ligands of Dennis, especially because the pnictogen chelate complexes in Ahlers already contain basic groups bound to the metal complex.

Claim 22 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Ahlers in view of U.S. Patent No. 6,229,052 to Bunel et al.

Claim 22 recites a dissolved metal complex. Claim 22 further recites that the fluid is brought into contact with at least one base immobilized on a solid phase. The Office Action asserts that Bunel can reasonably be considered to suggest a solid support for use in a

hydroformulation process. However, Bunel teaches away from the claimed subject matter because Bunel suggests that supported bis(phosphorus) ligands are complexed with rhodium, i.e., that the rhodium complex catalyst is bound to the solid support. Bunel fails to suggest that a base is supported by a solid support or that the catalyst is dissolved in the solution. Accordingly, the applied citations, even in combination, fail to suggest all of the features of claim 22.

Claims 2-8, 10-12, 14, and 16-20 are in condition for allowance for at least their respective dependence on allowable claims 13 and 21, as well as for the additionally patentable subject matter that each of these claims recites.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 13111-00038-US1 from which the undersigned is authorized to draw.

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Respectfully submitted,

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